

CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
MAY 2, 2011
COUNCIL CONVENED AT 6:19 P.M.

1. The invocation was given by Chaplain Wayne Ahrens, Five Gates Church/Police Chaplain and the Pledge of Allegiance was led by Acting Council Page Shelia Alexander.
2. Roll Call:

Mayor Lawrence J. Morrissey

Aldermen: Durkee, Curran, Wasco, Jacobson, Johnson, Timm, Beach, Elyea, Beck, Robertson -10-

Absent: Mark, Hervey, Thompson-Kelly, McNeely -4-
3. Alderman Timm moved to accept the Journal of Proceedings of April 25, 2011, seconded by Alderman Wasco. MOTION PREVAILED (Ald. Mark, Hervey, Thompson-Kelly, McNeely absent).

PUBLIC PARTICIPATION

4. Roland Poska urged everyone to sign the first "Invitation to the World" and President Barack Obama to join him in Rockford on July 4th at noon on the corner of State and Main and also to sign Declarations of Interdependence.
5. Prophet Yusef wished Jim Hughes a happy birthday and spoke about the community working together to reduce crime.

PETITIONS AND COMMUNICATIONS

6. Alderman Curran submitted a request from Jennifer Cacciapaglia, City Attorney, requesting permission for use of right-of-way/sidewalk in 500 block of East State Street for street performers on May 6, 2011 from 5:00 pm – 9:00 pm. Alderman Curran moved to grant the Prayer of the Petitioner, seconded by Alderman Wasco. MOTION PREVAILED (Ald. Mark, Hervey, Thompson-Kelly, McNeely absent).
7. Alderman Curran submitted a Memorandum from Jeremy Carter, Traffic Engineer regarding City-State Agreement: State Traffic Signal Maintenance. Referred to Finance and Personnel Committee.
8. Alderman Jacobson submitted a Memorandum from Reid Montgomery, Director of Community & Economic Development, regarding Expansion & Rehabilitation of Market Place Rockford. Referred to Planning and Development Committee.
9. Alderman Johnson submitted four (4) requests for service. Referred to Public Works Department.
10. Alderman Durkee submitted two (2) requests for service. Referred to Public Works Department and Animal Control.

11. Alderman Durkee reported he received several complaints last week about the City's reverse 9-1-1 system calling homes very early in the morning and late at night informing residents of hydrant flushing.

Mayor Morrissey apologized for the inconvenience.

12. Alderman Elyea submitted a request from Jessica Schultz, Benson Stone Company, in conjunction with Amazin Blazin BBQ Bonanza, requesting permission for the event in the parking lot at 1100 11th Street (Benson Stone Company) on May 14, 2011 from 9:00 am – 5:00 pm. Alderman Elyea moved to grant the Prayer of the Petitioner, seconded by Alderman Beach. MOTION PREVAILED (Ald. Mark, Hervey, Thompson-Kelly, McNeely absent).
13. Alderman Beck submitted the Rockford Traffic Commission Agenda for the meeting to be held on May 11, 2011. Referred to Traffic Commission.
14. Alderman Beck submitted a Memorandum from Jessica Roberts, Planner II, regarding the Final Plat of East Rock Industrial Park #8. Referred to Code and Regulation Committee.
15. Alderman Beck submitted a Memorandum from Julia Valdez, Deputy City Administrator/ Director of Human Resources, regarding upcoming special events:
 1. Klehm's Garden Fair; 6/4/11 – 6/5/11
 2. Rockford College Graduation @ Coronado Theatre (street closures); 5/15/11

Referred to Code and Regulation Committee.

NEW COMMITTEE REPORTS

16. Alderman Curran read a Finance and Personnel Committee Report recommending the Amendment to the Professional Services Contract with Fehr-Graham & Associates to include up to \$120,000 of Environmental Site Assessment work from the Community Wide Assessment Grant. The funding source is USEPA Grant. LAID OVER.
17. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of May 2, 2011 in the amount of \$2,225,090.99.
18. Alderman Jacobson read a Planning and Development Committee Report recommending approval of the Memorandum of Agreement between the City of Rockford and the Illinois Historic Preservation Agency. The Legal Director shall prepare the appropriate resolution. LAID OVER
19. Alderman Beck read a Code and Regulation Committee Report REVERSING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to increase the allowed height from 8 feet to 16 feet as measured from adjacent street curb for a freestanding sign and a Variation to increase the allowed square footage from 64 to

88 square feet for a freestanding sign in a C-2, Limited Commercial District at 7128 Spring Creek Road.

Approval is based on the Findings of Fact. The Legal Director shall prepare the necessary Ordinance. LAID OVER.

20. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a Planned Unit Development for redevelopment in an R-4, Multi-Family Residential District and C-2, Limited Commercial District at 502, 505, 515 Seminary Street and 326, 360 College Avenue. Approval is subject to the following conditions:

Phase I

1. Submittal of a Final Plat for Staff review and approval.
2. Construction of proposed residential buildings must be in conformance with submittal of Exhibit 1 and according to the site layout in Exhibit F.
3. Landscaping units shall be installed in accordance with Exhibits G & H including the northwest corner reserved for future market rate units as part of Phase II of the development.
4. Covenants and restrictions shall be submitted for staff review and approval and recorded on the property in perpetuity limiting the housing to disabled and senior facility.
5. The portion of Madison Street indicated in Phase II shall be dedicated as ROW or deeded to the City of Rockford for future roadway purpose prior to final occupancy for Phase I of the development.
6. The continuation and full development of the proposed Tentative Planned Unit Development.

Phase II

1. Submittal of a Final Planned Unit Development prior to development.
2. Submittal of a final plat for Staff review and approval.
3. Construction of proposed buildings must be in conformance with submittal of Exhibit I.
4. Site layout shall be in conformance with the submitted plans indicated as Exhibit D.
5. The portion indicated as housing on the north side of Madison shall be removed and planned as future open space.
6. Detailed landscaping plans shall be submitted as part of the final planned unit development for Phase II of the project as well as tree preservation and removal plan.
7. Covenants and restrictions shall be submitted for Staff review and approval limiting the housing to disabled and senior facility excepting that portion indicated as market rate housing.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

21. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to increase the maximum square footage for a drive-through directory (menu board) from 36 square feet to 54 square feet and a Variation to increase the maximum allowable height for a drive-through directory (menu board) from 6 feet to 8.7 feet in a C-3, General Commercial Zoning District at 3114 11th Street. Approval is subject to the following conditions:

1. Meeting all Building and Fire Codes.
2. Submittal of Building Permit for Staff review and approval.
3. That the drive-through directory (menu board) sign shall not be highly visible from the right-of-way.
4. No additional appendages shall be added to the proposed signage beyond what is represented as Exhibit F.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

22. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to increase the maximum square footage for a drive-through directory (menu board) from 36 square feet to 54 square feet and a Variation to increase the maximum allowable height for a drive-through directory (menu board) from 6 feet to 8.7 feet in a C-2, Limited Commercial Zoning District at 3805 East State Street. Approval is subject to the following conditions:

1. Meeting all Building and Fire Codes.
2. Submittal of Building Permit for Staff review and approval.
3. That the drive-through directory (menu board) sign shall not be highly visible from the right-of-way.
4. No additional appendages shall be added to the proposed signage beyond what is represented as Exhibit F.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

23. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the request for a modification of the sale of liquor by the drink in conjunction with a restaurant to include outdoor beer garden in a C-3, Commercial General District in the name of **Vinad Mangukiya d/b/a My Place Bar & Grill** located at 4578 Harrison Avenue. Approval is subject to the following conditions:

1. Compliance with the Liquor Ordinance.
2. Hours of outdoor sales area shall be not later than 10:00 pm Monday through Thursday and on Friday and Saturday until midnight.
3. No cover charge shall be required for entry to the establishment.
4. Security staff shall exhibit credentials of professional training.

The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

24. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE a request for sale of liquor by the drink in conjunction with a hotel, convention center, restaurants and a water park in a C-3, General Commercial District in the name of **Beltway Hospitality LLC d/b/a Clock Tower Resort and Conference Center** located at 7801 East State Street. Approval is subject to the following conditions:

1. Compliance with all City of Rockford Liquor Codes.

The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

25. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE a request for the sale of liquor by the drink in conjunction with a sit down restaurant and outdoor patio in a C-2, Limited Commercial Zoning District in the name of **Ya Min Sun d/b/a Ichiban Restaurant** located at 5494 East State Street. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.
3. The hours of operation will be limited to 11:00 am to 11:00 pm Monday through Sunday.
4. The sale of alcohol shall be limited to the interior site and outdoor patio areas that were submitted as Exhibit E.

The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

2011-132CR

26. Alderman Beck read a Code and Regulation Committee Report recommending the approval of the Final Plat of Renaissance Corners Subdivision.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Robertson. MOTION PREVAILED (Ald. Mark, Hervey, Thompson-Kelly, McNeely absent). The Committee Report was placed on Passage. MOTION PREVAILED (Ald. Mark, Hervey, Thompson-Kelly, McNeely absent).

2011-133CR

27. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to increase the maximum square footage for a freestanding sign in a Residential District for a nonresidential use from 48 square feet to 105 square feet in an R-1, Single-family Residential Zoning District at 1354 North Second Street. Approval is subject to the following conditions:

1. Meeting all Building and Fire Codes.

2. Submittal of Building Permit for Staff review and approval.
3. The sign and site plan must be in accordance with submitted plan Exhibit E.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Robertson. MOTION PREVAILED (Ald. Mark, Hervey, Thompson-Kelly, McNeely absent). The Committee Report was placed on Passage. MOTION PREVAILED (Ald. Mark, Hervey, Thompson-Kelly, McNeely absent).

2011-134CR

28. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE a request for the sale of liquor by the drink in conjunction with a sit down restaurant in a C-1, Limited Office District in the name of **Victor Olszewski d/b/a Vito's Ristorante** located at 1620 North Bell School Road. Approval is subject to the following conditions:

1. Compliance with the Liquor Ordinance.
2. Hours of operation are limited to Monday through Saturday 10:00 am to 12:00 am Sunday hours from 9:00 am to 10:00 pm.

The Legal Director is hereby instructed to prepare the necessary Ordinance.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Robertson. MOTION PREVAILED (Ald. Mark, Hervey, Thompson-Kelly, McNeely absent). The Committee Report was placed on Passage. MOTION PREVAILED (Ald. Mark, Hervey, Thompson-Kelly, McNeely absent).

OFFICERS REPORTS

29. Mayor Morrissey presented a Proclamation proclaiming the week of May 1, 2011 to be "NATIONAL DRINKING WATER WEEK" in Rockford, Illinois and encouraged our citizens to be good stewards of this precious commodity; get involved and improve our city.
30. Mayor Morrissey submitted seven (7) Department Heads Re-appointments:

| | |
|------------------------|--------------------|
| Community Development | Reid Montgomery |
| Finance | Andres Sammul |
| Human Resources | Julia Scott-Valdez |
| Human Services | George Davis |
| Information Technology | Glenn Trommels |
| Legal | Patrick Hayes |
| Public Works | Tim Hanson |

LAID OVER.

31. Mayor Morrissey mentioned a memorandum and application for the Mayor's Youth Advisory Council (MAYC) has been distributed for participation for 2011-2012. He thanked both current and out-going members for their contributions and efforts and he encouraged council members to make a nomination.
32. Mayor Morrissey called attention to a Memorandum from Andres Sammul, Finance Director, which provides an analysis of the projected 2011 property tax revenues.
33. Mayor Morrissey wished his wife Stacy and all mothers a Happy Mother's Day!
- 33a. Mayor Morrissey made mentioned of the recent rash of homicides in our community and thanked the police department for their efforts. He urged council and community members to take an active role to improve our community and reduce violence by supporting neighborhood growth and development.
34. Mayor Morrissey announced Jon Hollander, City Engineer, Public Works Department, will be retiring after 11 years of service. He thanked Jon for his dedication to the City and wished him the best as he moves on to the next chapter of his life.
35. Alderman Jacobson thanked Police Chief Epperson for keeping him informed of the events that surrounded the homicide in the 6th Ward last weekend.

UNFINISHED BUSINESS

2011-135CR

36. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending the Award of Contract with Larson & Larson Builders, of Loves Park, Illinois for Water Operations Center – Men's Restroom Improvements in an amount not to exceed \$56,000. The funding source is Water Division Operating Budget. MOTION PREVAILED by a roll call vote of:

| | |
|---------|--|
| Ayes: | Durkee, Curran, Wasco, Jacobson, Johnson, Timm, Beach, Elyea, Beck, Robertson -10- |
| Nays: | -0- |
| Absent: | Mark, Hervey, Thompson-Kelly, McNeely -4- |

2011-136CR

37. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending Award of Sole Source Contract with Layne-Western of Aurora, Illinois for Submersible Pump Servicing. Estimated annual cost of the contract is \$335,000. Funding for the contract will come from the Water Division Operating Budget. MOTION PREVAILED by a roll call vote of:

| | |
|---------|--|
| Ayes: | Durkee, Curran, Wasco, Jacobson, Johnson, Timm, Beach, Elyea, Beck, Robertson -10- |
| Nays: | -0- |
| Absent: | Mark, Hervey, Thompson-Kelly, McNeely -4- |

2011-137CR

38. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending the Extension of Contract for Police Process Improvement with Collaborative Solutions Initiative, Inc. for an estimated cost of \$25,200.00. The funding source is 2010 JAG Grant. MOTION PREVAILED by a roll call vote of:

Ayes: Durkee, Curran, Wasco, Jacobson, Johnson, Timm, Beach, Elyea, Beck, Robertson -10-
Nays: -0-
Absent: Mark, Hervey, Thompson-Kelly, McNeely -4-

2011-138CR

39. Alderman Beck moved the adoption of a Code and Regulation Committee Report recommending approval of the nuisance fleeing to elude police ordinance. The Legal Director shall prepare the necessary ordinance. MOTION PREVAILED by a roll call vote of:

Ayes: Durkee, Curran, Wasco, Jacobson, Johnson, Timm, Beach, Elyea, Beck, Robertson -10-
Nays: -0-
Absent: Mark, Hervey, Thompson-Kelly, McNeely -4-

2011-139CR

40. Alderman Beck moved the adoption of a Code and Regulation Committee Report recommending the Legal Director be instructed to draw an Ordinance for a Two Hour Parking restriction on both sides of Estwing Street from Church Street to Court Street.

MOTION PREVAILED by a roll call vote of:

Ayes: Durkee, Curran, Wasco, Jacobson, Johnson, Timm, Beach, Elyea, Beck, Robertson -10-
Nays: -0-
Absent: Mark, Hervey, Thompson-Kelly, McNeely -4-

2011-140CR

41. Alderman Beck moved the adoption of a Code and Regulation Committee Report recommending the Legal Director be instructed to draw an Ordinance for a Residential Parking Zone on both sides of the 1500 block of 7th Street between Broadway and 15th Avenue. MOTION PREVAILED by a roll call vote of:

Ayes: Durkee, Curran, Wasco, Jacobson, Johnson, Timm, Beach, Elyea, Beck, Robertson -10-
Nays: -0-
Absent: Mark, Hervey, Thompson-Kelly, McNeely -4-

2011-141CR

42. Alderman Beck moved the adoption of a Code and Regulation Committee Report recommending the Legal Director be instructed to draw an Ordinance for No Parking

Anytime on the west side of Winnebago Street from Morgan Street to 230 feet south of Morgan Street. MOTION PREVAILED by a roll call vote of:

Ayes: Durkee, Curran, Wasco, Jacobson, Johnson, Timm, Beach, Elyea, Beck, Robertson -10-
Nays: -0-
Absent: Mark, Hervey, Thompson-Kelly, McNeely -4-

2011-142CR

43. Alderman Beck moved the adoption of a Code and Regulation Committee Report recommending the Legal Director be instructed to draw an Ordinance for a "40 MPH" speed limit on Sandy Hollow Road from Alpine Road to city limits. MOTION PREVAILED by a roll call vote of:

Ayes: Durkee, Curran, Wasco, Jacobson, Johnson, Timm, Beach, Elyea, Beck, Robertson -10-
Nays: -0-
Absent: Mark, Hervey, Thompson-Kelly, McNeely -4-

2011-143CR

44. Alderman Beck moved the adoption of a Code and Regulation Committee Report recommending the Legal Director draw an Ordinance repealing the existing No Right Turn on Red, on both legs of 18th Avenue at the intersection of Kishwaukee Street and 18th Avenue. MOTION PREVAILED by a roll call vote of:

Ayes: Durkee, Curran, Wasco, Jacobson, Johnson, Timm, Beach, Elyea, Beck, Robertson -10-
Nays: -0-
Absent: Mark, Hervey, Thompson-Kelly, McNeely -4-

2011-049-O

45. Alderman Beck moved the adoption of an Ordinance amending Article 63 of the Zoning Ordinance of the City of Rockford for a Special Use Permit for the modification of an existing legally nonconforming billboard to an electronic display billboard in a C-3, General Commercial Zoning District at 1311 South Alpine Road. Approval is subject to the following conditions:

1. Meeting all Building and Fire Codes.
2. An Agreement shall be made that all five (5) billboards will be removed as part of permitting proposed billboard.
3. Submittal of Building Permit for Staff review and approval.
4. That the billboard shall remain a non-conforming billboard.
5. That the billboard operates in conformance with the sign regulations for electronic graphic display signs.
6. Submittal of a detailed landscape plan to include the type of species to be planted in accordance with the required landscaping for a free standing sign for Staff's review and approval.
7. That the existing billboard located at the North West Corner of East State

Street and Mulford (5946 East State Street) be removed by December 31, 2011.

Approval is based on the Findings of Fact. MOTION PREVAILED by a roll call vote of:

Ayes: Durkee, Curran, Wasco, Jacobson, Johnson, Timm, Beach, Elyea, Beck, Robertson -10-
Nays: -0-
Absent: Mark, Hervey, Thompson-Kelly, McNeely -4-

2011-050-O

46. Alderman Beck moved the adoption of an Ordinance amending Chapter 16, Section 293 of the Code of Ordinances of the City of Rockford to add the following:

That traffic on Jackson Street be required to yield the Right-of-Way prior to entering the intersection of Dawson Avenue.

MOTION PREVAILED by a roll call vote of:

Ayes: Durkee, Curran, Wasco, Jacobson, Johnson, Timm, Beach, Elyea, Beck, Robertson -10-
Nays: -0-
Absent: Mark, Hervey, Thompson-Kelly, McNeely -4-

2011-144CR

47. Alderman Jacobson moved the adoption of a Planning and Development Committee Report recommending approval of the request for the Extension of Development Agreement with Financial Management Systems (FMS) to create a Call Center. The Legal Director shall prepare the appropriate ordinance. MOTION PREVAILED (Ald. Mark, Hervey, Thompson-Kelly, McNeely absent).

MOTIONS AND RESOLUTIONS

2011-049R

48. Alderman Beck, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for a Special Event Permit and Liquor Permit for consumption of liquor outdoors on public property ("SP" license) for the Green Light Night Events at the 100 blocks of North and South Main Street on Saturday June 18, 2011 from noon – 11:00 pm and Saturday September 20, 2011 from noon – 7:00 pm. MOTION PREVAILED (Ald. Mark, Hervey, Thompson-Kelly, McNeely absent).

2011-050R

49. Alderman Beck, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for a Special Event Permit and Liquor Permit for consumption of liquor outdoors on public property ("SP" license) for Rockford City Market in the downtown area beginning on June 3, 2011 ending October 21, 2011. MOTION PREVAILED (Ald. Mark, Hervey, Thompson-Kelly, McNeely absent).

2011-051R

50. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the Central Services Manager to take bids/proposals for the following:

- A. Bid: Custer Ave. Curb Replacement, funding source: Sales Tax
- B. RFP: Developer for Amerock Building, funding source: N/A
- C. RFP: Executive Search Firm for Finance Director, funding source: Finance Department Operating Budget

MOTION PREVAILED (Ald. Mark, Hervey, Thompson-Kelly, McNeely absent).

NEW BUSINESS

51. Alderman Jacobson introduced and read an Ordinance approving the Pre-Development Agreement with Belmont Sayre LLC, regarding the Barber Colman Revitalization Area, for an amount not to exceed Two Hundred Thousand Dollars (\$200,000) for eligible Community Development Block Grant expenses. LAID OVER.

2011-051-O

52. Alderman Beck introduced and read an Ordinance amending Chapter 3, Section 3-55 of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor Ordinance having been met, said amendments shall serve as City Council advice and consent for the Liquor Commissioner to issue a Liquor License to the following person:

Vito's Restaurant, Inc. d/b/a Vito's Ristorante located at 1620 North Bell School Road for the sale of liquor by the drink in conjunction with a sit-down restaurant in a C-1, Limited Office District. Approval is subject to the following conditions:

- 1. Compliance with the Liquor Ordinance.
- 2. Hours of operation are limited to Monday through Saturday 10:00 am to 12:00 am Sunday hours from 9:00 am to 10:00 pm.

2011-052-O

53. Alderman Beck introduced and read an Ordinance amending Article 64 of the Zoning Ordinance of the City of Rockford for a Variation to increase the maximum square footage for a freestanding sign in a Residential District for a nonresidential use from 48 square feet to 105 square feet in an R-1, Single-Family Residential Zoning District at 1354 North Second Street. Approval is subject to the following conditions:

- 1. Meeting all Building and Fire Codes.
- 2. Submittal of Building Permit for Staff review and approval.
- 3. The sign and site plan must be in accordance with submitted plan Exhibit E.

Approval is based on the Findings of Fact.

2011-053-O

54. Alderman Beck introduced and read an Ordinance amending Chapter 17, Sections 17-29 and 17-40 of the Code of Ordinances of the City of Rockford, Illinois; Nuisance Ordinance, passed April 7, 2008, approved April 14, 2008, and published April 14, 2008.
55. Alderman Curran introduced and read an Ordinance authorizing the Mayor and Legal Director to execute the attached Intergovernmental Agreement Amendment for the Riverwalk Museum Campus-Sanitary Sewer between the Rockford Park District and the City of Rockford. LAID OVER.
56. Alderman Curran introduced and read an Ordinance recommending authorizing the Mayor and Legal Director to execute the attached Agreement between Rockford Township and City of Rockford Human Services. LAID OVER.
57. Alderman Curran introduced and read an Ordinance recommending authorizing the Mayor and Legal Director to execute the attached guidelines for City Council Professional Services Fund. LAID OVER.
58. Upon motion duly made and seconded, the meeting was adjourned at 7:05 p.m.

Respectfully submitted,

Diane Reed
City Council Clerk

[The meeting was taped in its entirety, and the tape is on file in the Legal Department]

CITY COUNCIL, CITY OF ROCKFORD, ILLINOIS
City Council Chambers, 2ND floor City Hall
425 E. State Street, Rockford
May 9, 2011
6:00 P.M.
AGENDA

The following represents, in general, the chronological order of proceedings at the City Council meeting:

- Call to Order by the Mayor
- Invocation and Pledge of Allegiance
- Roll Call and determination of quorum
- Acceptance of Journal of Proceedings
- Public Hearing
- Public Participation
- Petitions and Communications
- New Committee Reports (Reports of Standing Committees – Code and Regulation, Finance and Personnel, Planning and Development - and other select committees)

I. NEW COMMITTEE REPORTS TO BE READ IN MAY 9, 2011

A. CODE AND REGULATIONS

1. Beck – Traffic - 527 Howard Avenue/"No Parking Anytime"
 2. Beck - Final Plat of East Rock Industrial Park #8
- Officers Reports

UNFINISHED BUSINESS

II. COMMITTEE REPORTS LAID OVER MAY 2, 2011

1. Hervey - Finance and Personnel - Recommending the Amendment to the Professional Services Contract with Fehr-Graham & Associates to include up to \$120,000 of Environmental Site Assessment work from the Community Wide Assessment Grant. The funding source is USEPA Grant.
2. Thompson-Kelly - Planning and Development - Recommending approval of the Memorandum of Agreement between the City of Rockford and the Illinois Historic Preservation Agency. The Legal Director shall prepare the appropriate resolution.
3. Beck - Code and Regulation - REVERSING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to increase the allowed height from 8 feet to 16 feet as measured from adjacent street curb for a freestanding sign and a

Variation to increase the allowed square footage from 64 to 88 square feet for a freestanding sign in a C-2, Limited Commercial District at 7128 Spring Creek Road.

Approval is based on the Findings of Fact. The Legal Director shall prepare the necessary Ordinance.

4. Beck - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a Planned Unit Development for redevelopment in an R-4, Multi-Family Residential District and C-2, Limited Commercial District at 502, 505, 515 Seminary Street and 326, 360 College Avenue. Approval is subject to the following conditions:

Phase I

1. Submittal of a Final Plat for Staff review and approval.
2. Construction of proposed residential buildings must be in conformance with submittal of Exhibit 1 and according to the site layout in Exhibit F.
3. Landscaping units shall be installed in accordance with Exhibits G & H including the northwest corner reserved for future market rate units as part of Phase II of the development.
4. Covenants and restrictions shall be submitted for staff review and approval and recorded on the property in perpetuity limiting the housing to disabled and senior facility.
5. The portion of Madison Street indicated in Phase II shall be dedicated as ROW or deeded to the City of Rockford for future roadway purpose prior to final occupancy for Phase I of the development.
6. The continuation and full development of the proposed Tentative Planned Unit Development.

Phase II

1. Submittal of a Final Planned Unit Development prior to development.
2. Submittal of a final plat for Staff review and approval.
3. Construction of proposed buildings must be in conformance with submittal of Exhibit I.
4. Site layout shall be in conformance with the submitted plans indicated as Exhibit D.
5. The portion indicated as housing on the north side of Madison shall be removed and planned as future open space.
6. Detailed landscaping plans shall be submitted as part of the final planned unit development for Phase II of the project as well as tree preservation and removal plan.
7. Covenants and restrictions shall be submitted for Staff review and approval limiting the housing to disabled and senior facility excepting that portion indicated as market rate housing.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance.

5. Beck - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to increase the maximum square footage for a drive-through directory (menu board) from 36 square feet to 54 square feet and a Variation to increase the maximum allowable height for a drive-through directory (menu board) from 6 feet to 8.7 feet in a C-3, General Commercial Zoning District at 3114 11th Street. Approval is subject to the following conditions:

1. Meeting all Building and Fire Codes.
2. Submittal of Building Permit for Staff review and approval.
3. That the drive-through directory (menu board) sign shall not be highly visible from the right-of-way.
4. No additional appendages shall be added to the proposed signage beyond what is represented as Exhibit F.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance.

6. Beck - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to increase the maximum square footage for a drive-through directory (menu board) from 36 square feet to 54 square feet and a Variation to increase the maximum allowable height for a drive-through directory (menu board) from 6 feet to 8.7 feet in a C-2, Limited Commercial Zoning District at 3805 East State Street. Approval is subject to the following conditions:

1. Meeting all Building and Fire Codes.
2. Submittal of Building Permit for Staff review and approval.
3. That the drive-through directory (menu board) sign shall not be highly visible from the right-of-way.
4. No additional appendages shall be added to the proposed signage beyond what is represented as Exhibit F.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance.

7. Beck - Code and Regulation - SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the request for a modification of the sale of liquor by the drink in conjunction with a restaurant to include outdoor beer garden in a C-3, Commercial General District in the name of **Vinad Mangukiya d/b/a My Place Bar & Grill** located at 4578 Harrison Avenue. Approval is subject to the following conditions:

1. Compliance with the Liquor Ordinance.
2. Hours of outdoor sales area shall be not later than 10:00 pm Monday through Thursday and on Friday and Saturday until midnight.
3. No cover charge shall be required for entry to the establishment.
4. Security staff shall exhibit credentials of professional training.

The Legal Director is hereby instructed to prepare the necessary Ordinance.

8. Beck - Code and Regulation - SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE a request for sale of liquor by the drink in conjunction with a hotel, convention center, restaurants and a water park in a C-3, General Commercial District in the name of **Beltway Hospitality LLC d/b/a Clock Tower Resort and Conference Center** located at 7801 East State Street. Approval is subject to the following conditions:

1. Compliance with all City of Rockford Liquor Codes.

The Legal Director is hereby instructed to prepare the necessary Ordinance.

9. Beck - Code and Regulation - SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE a request for the sale of liquor by the drink in conjunction with a sit down restaurant and outdoor patio in a C-2, Limited Commercial Zoning District in the name of **Ya Min Sun d/b/a Ichiban Restaurant** located at 5494 East State Street. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.
3. The hours of operation will be limited to 11:00 am to 11:00 pm Monday through Sunday.
4. The sale of alcohol shall be limited to the interior site and outdoor patio areas that were submitted as Exhibit E.

The Legal Director is hereby instructed to prepare the necessary Ordinance.

III. ORDINANCES LAID OVER MAY 2, 2011

1. Thompson-Kelly - Ordinance - Approving the Pre-Development Agreement with Belmont Sayre LLC, regarding the Barber Colman Revitalization Area, for an amount not to exceed Two Hundred Thousand Dollars (\$200,000) for eligible Community Development Block Grant expenses.
2. Hervey – Ordinance - Authorizing the Mayor and Legal Director to execute the attached Intergovernmental Agreement Amendment for the Riverwalk Museum Campus-Sanitary Sewer between the Rockford Park District and the City of Rockford.
3. Hervey - Ordinance - Authorizing the Mayor and Legal Director to execute the attached Agreement between Rockford Township and City of Rockford Human Services.
4. Hervey – Ordinance - Authorizing the Mayor and Legal Director to execute the attached guidelines for City Council Professional Services Fund.

- Motions and Resolutions

IV. MISCELLANEOUS LAID OVER APRIL 25, 2011

1. Mayor Morrissey – Re-appointment – Department Heads:

| | |
|------------------------|--------------------|
| Community Development | Reid Montgomery |
| Finance | Andres Sammul |
| Human Resources | Julia Scott-Valdez |
| Human Services | George Davis |
| Information Technology | Glenn Trommels |
| Legal | Patrick Hayes |
| Public Works | Tim Hanson |

V. MOTION AND RESOLUTIONS TO BE READ IN MAY 2, 2011

1. Beck – Klehm’s Garden Fair; 6/4/11 – 6/5/11
2. Beck - Rockford College Graduation @ Coronado Theatre (street closures); 5/15/11

VI. NEW BUSINESS (note: Ordinances may be read in under New Business and Rule 11 suspended and final vote taken. Committee Reports would have previously been voted on).

1. Beck – Ordinance - For a Two Hour Parking restriction on both sides of Estwing Street from Church Street to Court Street.
2. Beck - Ordinance - For a Residential Parking Zone on both sides of the 1500 block of 7th Street between Broadway and 15th Avenue.
3. Beck - Ordinance - For No Parking Anytime on the west side of Winnebago Street from Morgan Street to 230 feet south of Morgan Street.
4. Beck - Ordinance - For a “40 MPH” speed limit on Sandy Hollow Road from Alpine Road to city limits.
5. Beck - Ordinance - Repealing the existing No Right Turn on Red, on both legs of 18th Avenue at the intersection of Kishwaukee Street and 18th Avenue.
6. Beck – Ordinance - Request for sale of liquor by the drink in conjunction with a hotel, convention center, restaurants and a water park in a C-3, General Commercial District in the name of **Beltway Hospitality LLC d/b/a Clock Tower Resort and Conference Center** located at 7801 East State Street.

* same action taken before

• Adjournment

* * * * *

POSSIBLE ADDITIONAL ITEMS:

The following items appear on the City Council Standing Committee Agendas as noted. Items may receive a vote at committee and come before the first City Council meeting held after the

committee meeting. Rule 11 can be suspended and final vote taken on said items at the City Council meeting (no rule suspension is necessary to take a vote on vouchers).

CODE AND REGULATION COMMITTEE

Monday, May 9, 2011, 5:15 p.m.

Conference Room A, City Hall 2nd floor (north room)

AGENDA

1. C & R 11-44 April Traffic Commission Minutes/Item No. 5
527 Howard Avenue/"No Parking Anytime"
2. C & R 11-59 Special Events: 1) Klehm's Garden Fair
2) Rockford College Graduation at Coronado
3. C & R 11-60 Final Plat of East Rock Industrial Park #8
4. C & R 11-61 Closed Session for Purposes of Pending and/or Threatening
Litigation

FINANCE AND PERSONNEL COMMITTEE

Monday, May 9, 2011, 5:15 p.m.

Conference Room B, City Hall 2nd floor (south room)

AGENDA

1. Purchasing and Vouchers
 - A. Award of Sole Source Contract: Munis Contract Module
 - B. Rescission of Award of Bid: City-Wide Grounds Maintenance: Mowing Block 1 –
Suspend rules
 - C. Award of Bid: Weed Abatement - Community Development Sites – Suspend rules
 - D. Award of Sole Source Contract: Sweeper Repair
 - E. Engineering Agreement: Winnebago Street Bridge over Kent Creek & Railroad Tracks
 - F. Engineering Agreement: City-Wide Alleys 2011
 - G. Engineering Agreement: Kishwaukee Street Reconstruction
 - H. Resolution to take Proposals
 - I. Change Order: West State Street Corridor Land Acquisition – **Info only**
 - J. Vouchers
2. City-State Agreement: State Traffic Signal Maintenance

PLANNING AND DEVELOPMENT COMMITTEE

**Monday, May 9, 2011, 5:30 p.m.
CD Conference Room, City Hall 2nd floor
AGENDA**

1. Memorandum from Jim Ryan, City Administrator, regarding Downtown Parking Agreement.
2. Memorandum from Reid Montgomery, Director of Community & Economic Development, regarding the Expansion & Rehabilitation of Market Place Rockford.

LEGISLATIVE LOBBYING COMMITTEE

**Monday, May 9, 2011, _____ p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA**

No Meeting Scheduled.